IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.893 OF 2004
WITH
CIVIL APPLICATION NO.474 OF 2004
WITH
CIVIL APPLICATION NO.3235 OF 2007

The National Insurance Co.Ltd. .. Appellant

Vs.

Lt.Col.Raman Gopalachari & Anr. .. Respondents

Mr.M.B.Kotak for the appellant

Mr.M.G.Barve for respondent no.1

Mr.A.M.Khandekar h/f Mr.M.S.Topkar for respondent no.2

CORAM : J.N.PATEL &
A.A.SAYED, JJ.

DATED : 9TH JULY, 2007

P.C.:

. In view of the fact that the Insurance Company has not sought leave under section 170 of the Motor Vehicles Act, the appeal is not maintainable and therefore, stands dismissed. Interim order stands vacated. Needless to state that the respondents / claimants would be entitled

to claim the amount which has been awarded by the Tribunal in their favour. In view thereof, Civil Applications do not survive. The same are also disposed of as infructuous.

(SHRI J.N. PATEL, J)

(SHRI A.A. SAYED, J)